

REMARKS

1. Reconsideration and further prosecution of the above-identified application are respectfully requested in view of the amendments and discussion that follows. Claims 1-41 are pending in this application. Claims 1-41 have been rejected under 35 U.S.C. §103 as being obvious over U.S. Patent No. 6,021,428 to Miloslavsky in view of U.S. Patent No. 6,175,562 to Cave. After a careful review of the claims, it has been concluded that the rejections are improper and consequently, the rejection is traversed.

2. Claims 1-41 have been rejected under as being obvious over Miloslavsky in view of Cave. In particular, the Examiner asserts that

"Miloslavsky discloses the invention substantially as claimed, including a method of routing multimedia calls within an automatic call distributor system having a automatic call distributor coupled to the public switched telephone network and a host coupled to the Internet which is equivalent to an network including Internet, PSTN, ACD and multimedia data [Fig, 1, Fig 5, col 1 lines 15-20, col 2 lines 23-65]

However Miloslavsky does not detail receiving an Internet call from an Internet caller by the host through the Internet; requesting an agent assignment for handling the to Internet call from the automatic call distributor coupled to the public switched telephone network; and transferring the Internet call to a terminal of the agent assigned by the automatic call distributor.

A skilled artisan would have motivation to improve the Miloslavsky's method and looked to the prior art, which leads to the Cave's teaching. Cave taught a switching call processing wherein a the network between a plurality of remote callers connected in part over the Public Switched Telephone Network (PSTN) and the agent computers of selected

agents assigned to said callers, said assignment enabled by the SCD according to a predetermined ACD algorithm [Cave col 9 lines 50-57]. It is clearly the calls have been transferred and received via PSTN and ACD to the assigned agent.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the technique of assigned agent for handling the Internet call from PSTN to ACD as taught by Cave into Miloslavsky's system in order to utilize the communication of multimedia data via Internet. Doing so would provide a simplified deployment and cost effective process to handle the communication over network."

As admitted by the Examiner, "Miloslavsky does not detail receiving an Internet call from an Internet caller by the host through the Internet; requesting an agent assignment for handling the to Internet call from the automatic call distributor coupled to the public switched telephone network; and transferring the Internet call to a terminal of the agent assigned by the automatic call distributor". The Examiner has taken the position that Cave teaches all of the missing elements. However, Cave in not drawn to Internet calls from Internet callers. Instead, Cave is drawn to a "switchless call distribution system (SCD) 100".

In this regard, FIG. 2 of Cave shows PSTN calls received from callers through the PSTN 102. Cave explicitly states that "When a caller desires to speak to a live agent . . . SCD resource 100 applies POTS/packet gateway technology by first compressing the caller's μ -law encoded voice signal down to 5-6 Kbps (item 106) and then packetizing the signal (item 107) suitable for distribution on a routed network such as Ethernet 220" (Cave col. 6, lines 29-35). Further, "Call distribution algorithms in

ACD application control 108 determine which of logged-on agents LA_1 - LA_n is to receive the next call, and the caller's packetized voice signals are directed via voice browser protocol 109 to the voice port IP addresses of the live agent to receive the call" (Cave, col. 6, lines 52-57).

The only reference to the Internet in Cave is the advisory statement that "Even the Internet would enable the present invention, although it is not considered to be particularly reliable or secure" (Cave, col. 7, lines 41-43). Alternatively, Cave claims "The switchless call distribution system of claim 1, in which the packetized switchless network is selected from the groups consisting of: . . . (b) the Internet" (Cave col. 8, lines 47-51).

Even given its broadest interpretation, Cave is directed merely to an Internet connection between the SCD 100 and agents. However, an Internet connection and an Internet call are two different concepts and the use of one does not teach or suggest the use of the other. Further, even if the Cave Internet connection were regarded as an Internet call, it would still be an Internet call from the SCD 100, not an Internet call from an Internet caller.

The claimed invention is limited to "an Internet call from an Internet caller". As would be well understood in the art, an Internet call from an Internet caller is an Internet call initiated by the human subscriber to the Internet. In contrast, Cave represents an Internet connection established for the convenience of the operator of the SCD resource 100.

For example, "When live agents LA_1 - LA_n log on to make themselves available to receive calls, they send messages

including their voice port and data port IP addresses over ethernet 220 to ACD application control 108 . . . Call distribution algorithms in ACD application control 108 determine which of logged-on agents LA_1-LA_n is to receive the next call, and the caller's packetized voice signals are directed via voice browser protocol 109 to the voice port IP address of the live agent to receive the call" (Cave, col. 6, lines 48-57). Since the Cave agents logs on to the ACD application control 108, it is clear that the connection established is for receiving many calls. Since the logging on process is for receiving many calls, it is clear that the Cave connection between the agent and POTS/packet gateway is merely a medium of communications for PSTN calls, not Internet calls.


Since Cave represents a medium of communication for PSTN calls, not Internet calls, there would be no reason to combine Cave with Miloslavsky. Further, even if there was a reason to combine Cave with Miloslavsky (which there is not), the combination still fails to teach each and every claim limitation. For example, the combination of Miloslavsky and Cave fails to teach or suggest, inter alia, the step of "requesting an agent assignment for handling the Internet call from the automatic call distributor coupled to the public switched telephone network". The Examiner admits that Miloslavsky fails to teach or suggest this element. Cave fails to teach or suggest this element because Cave is directed to distributing PSTN calls using an Internet connection.

Since the combination of Miloslavsky and Cave fails to teach or suggest each and every claim limitation, the rejection is believed to be improper. Since the rejection

is improper, it should be withdrawn.

3. Allowance of claims 1-41, as now presented, is believed to be in order and such action is earnestly solicited. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, he is respectfully requested to telephone applicant's undersigned attorney.

Respectfully submitted,
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